

**Windward Development**  
**City of Issaquah**

**BERGSMA PRELIMINARY PLAT**  
**VARIANCE REQUEST**  
**DEVIATION REQUEST**

## **Windward Development / City of Issaquah**

### **VARIANCE REQUEST #1: Reduction of Stream Buffer Requirements**

---

#### **PURPOSE**

The variance provision is provided to property owners who, due to the strict implementation of standards set forth in the Issaquah Land Use Code, Chapter 4, and/or to unusual circumstances regarding the subject property, are deprived of privileges commonly enjoyed by other properties in the same vicinity and zone and under the same land use regulations, provided, however, that the fact that surrounding properties have been developed under regulations in force prior to the adoption of this ordinance shall not be the sole basis for the granting of a variance.

#### **DESCRIPTION OF VARIANCE:**

***The applicant is seeking authorization to allow for the modification of stream buffers in selected locations. A riparian buffer area along the bank of a stream separates the water from development areas such as lawns, buildings, roads, and driveways. Buffers are complex micro-environments that include grass, shrubs, and trees which hold the soil in place and act as living filters of pollution. The variance is focused on the intrusion of the "Entry Road" in the outer 50% of Stream 3 for a distance of 200 LF. Stream 3 is a Type F/Class 2 resource with a 100-foot buffer at the lower area of the site. This is a unique steep site condition with frontage on Newport Way NW. The Bergsma property has limited opportunities to create a new public street intersection meeting design standards.***

***The impact is unavoidable. The development proposal will direct water from pollution-generating surfaces into engineered conveyance systems and water quality and detention facilities. Stream buffer vegetation enhancements are proposed, including removal of non-native invasive plants and replacement with appropriate material suitable for the habitat of the northwest.***

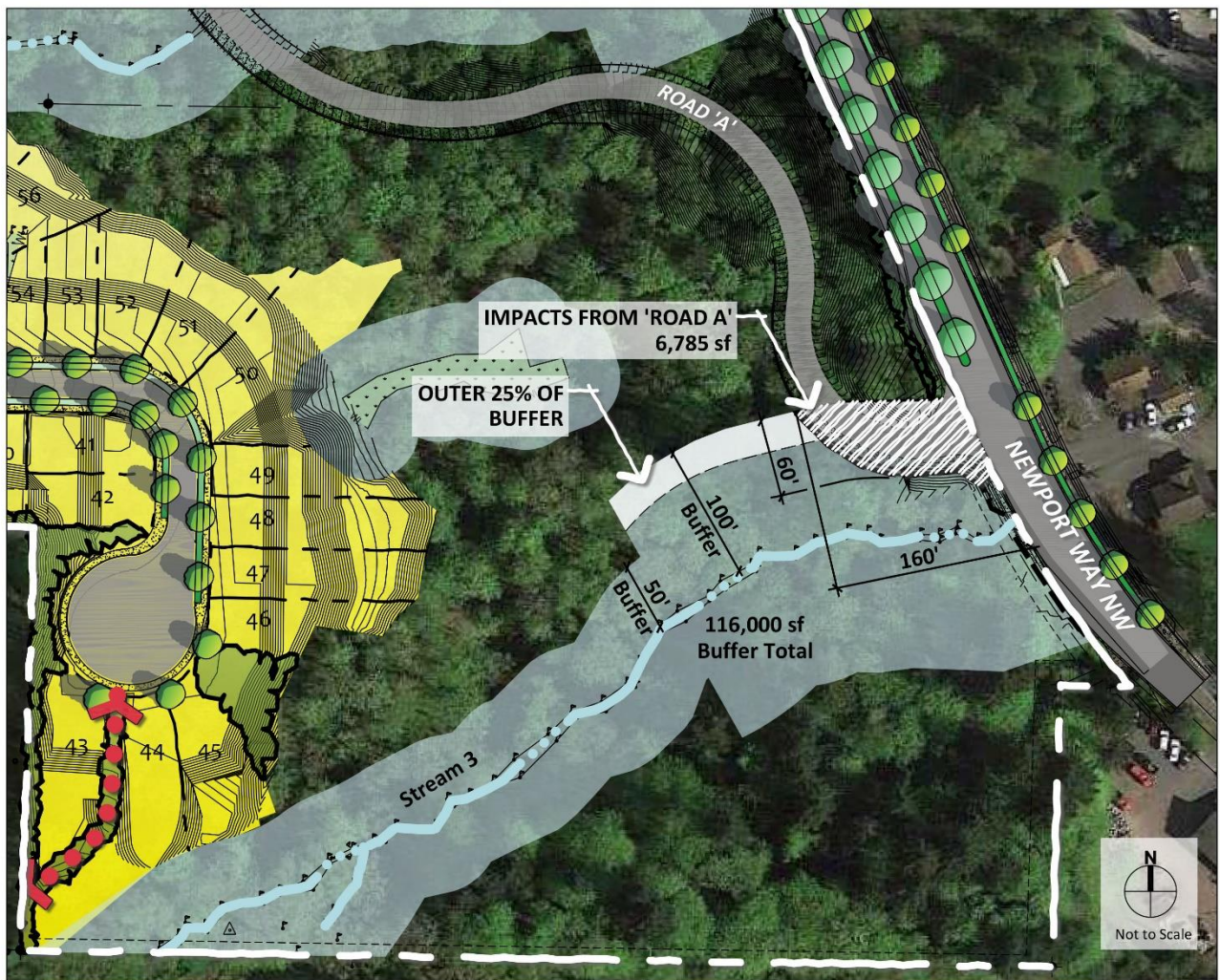
***Stream 3 is buffered by more than 116,000 SF of buffer on the site, the intrusion of 9,400 SF represents a less than 8% impact.***

***Please refer to the diagram on the following page.***

The applicant is seeking approval to modify the requirement of the applicable **City Code 18.10.790(D)1** in accordance the following criteria:

1. The variance will achieve the intended result in equivalent:
  - ***Protection of the stream environment is the goal of the development. The stream is proposed to be protect by upgraded stream buffers enhanced with removal of non-natives/invasive species and re-planted with material suitable for this context.***
  - ***Additionally, the stream will receive appropriate quantities of the clean rainwater from rooftops that will be conveyed and released in a conveyance system to avoid a point discharge erosion hazard.***
2. The variance addresses public safety and operation.

- **Protection and establishment of streams and associated buffers will ensure the ongoing priority of environments protection of high value natural features.**
3. The variance will not adversely affect how well the surrounding nearby public facilities can be maintained.
- **Surrounding natural features and drainage corridors will not be harmed by this variance.**



### **STREAM BUFFER IMPACTS**

## **Windward Development / City of Issaquah**

### **VARIANCE REQUEST #2: Location of Public Road through the 40% steep slope**

---

#### **PURPOSE**

The variance provision is provided to property owners who, due to the strict implementation of standards set forth in the Issaquah Land Use Code, Chapter 4, and/or to unusual circumstances regarding the subject property, are deprived of privileges commonly enjoyed by other properties in the same vicinity and zone and under the same land use regulations, provided, however, that the fact that surrounding properties have been developed under regulations in force prior to the adoption of this ordinance shall not be the sole basis for the granting of a variance.

#### **DESCRIPTION OF VARIANCE:**

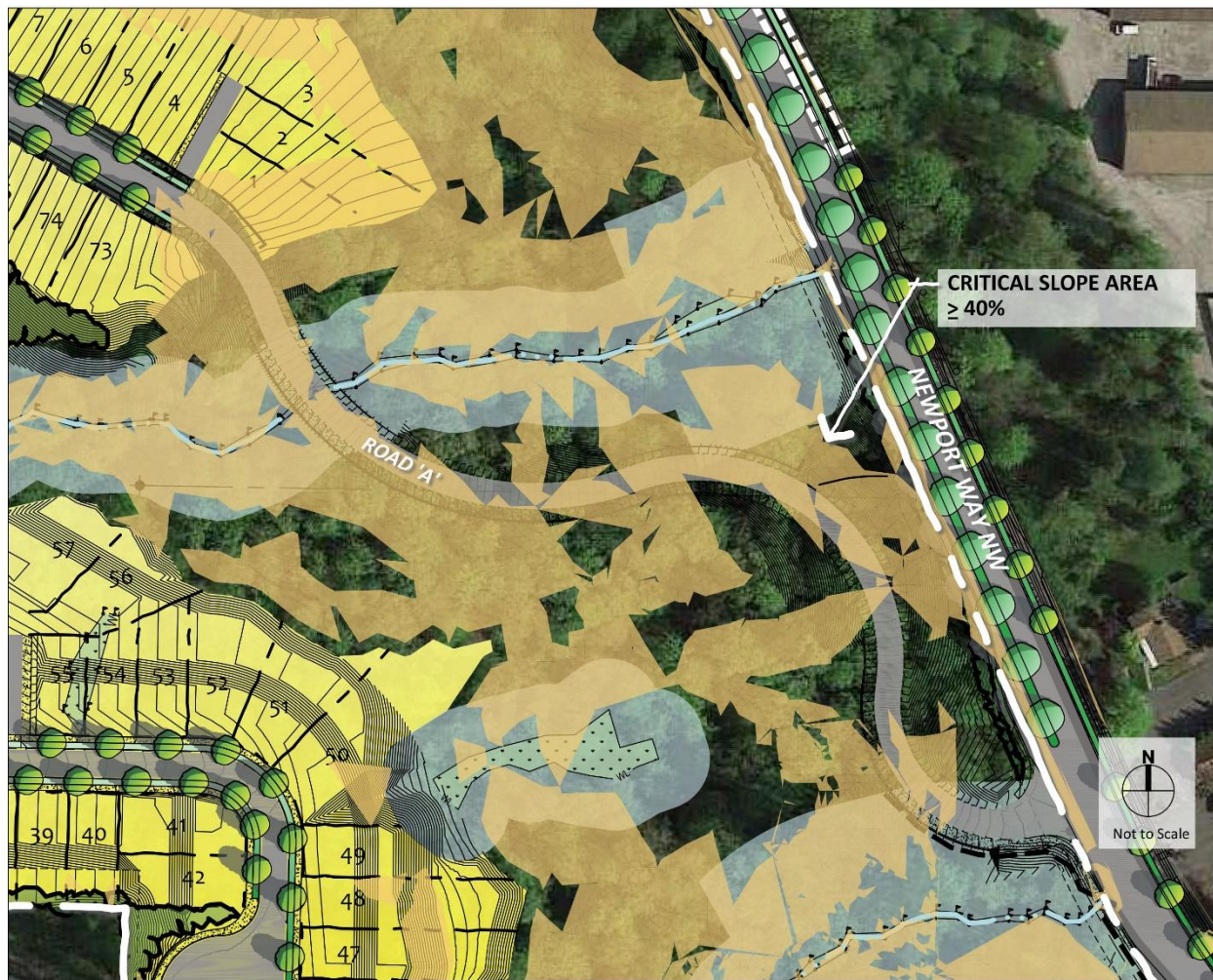
***The applicant is seeking authorization to allow for the location of the entry road in portion of the site where grades exceed 40%. Slopes of 40% or greater are regulated as potential hazard areas.***

***Whereas the unique context of this residential property encourages high-end density and development, accessing the developable portion of the site requires development of an access roadway across the steeper slopes. The access roadway will traverse the slope, complying with applicable and modified (see roadway deviations) standards. The roadway is designed for two travel lanes and a pedestrian sidewalk. The centerline grade will not exceed 15%. The roads will be designed by experienced professionals (Biologist, Geotechnical Engineer, Structural Engineer, and Civil Engineers collaborating to manage the environmental impact of development and the range of mitigation options to ensure a safe travel way for the public. The access road impacts about 29,310 SF of the 959,400 total SF onsite.***

***Please refer to the diagram.***

The applicant is seeking approval to modify the requirement of the applicable **City Code, IMC 18.10.580(B)3B, 1-6**. in accordance the following criteria:

1. The variance will achieve the intended result in equivalent:
  - ***The intent of the code is to manage and protect harmful impacts to the environment. The development of the entry road (street A) will include a great deal of professional design attention to ensure impacts are mitigated.***
2. The variance addresses public safety and operation; the code seeks to protect the public by providing safe travel ways in concert with environmental management.
3. The variance will not adversely affect how well the surrounding nearby public facilities can be maintained.
  - ***Public facilities will not be harmed by this variance.***



**PUBLIC ROAD THROUGH CRITICAL SLOPES**

**Windward Development / City of Issaquah**  
**VARIANCE REQUEST #3: Encroachment into Critical Area Slope (VAULT)**

---

**PURPOSE**

The variance provision is provided to property owners who, due to the strict implementation of standards set forth in the Issaquah Land Use Code, Chapter 4, and/or to unusual circumstances regarding the subject property, are deprived of privileges commonly enjoyed by other properties in the same vicinity and zone and under the same land use regulations, provided, however, that the fact that surrounding properties have been developed under regulations in force prior to the adoption of this ordinance shall not be the sole basis for the granting of a variance.

**DESCRIPTION OF VARIANCE:**

***The applicant is seeking authorization to allow for the location of a stormwater detention vault in an area currently defined as a steep slope/critical area near the intersection of the Entry Road and Newport Way NW. The location of the vault is primarily driven by the location of the plat's Entry Road. The location of the entry road is guided by the limiting factors contained in the City design standards. The limiting factors include maximum grade and visual impact on the heavily treed and steep property.***

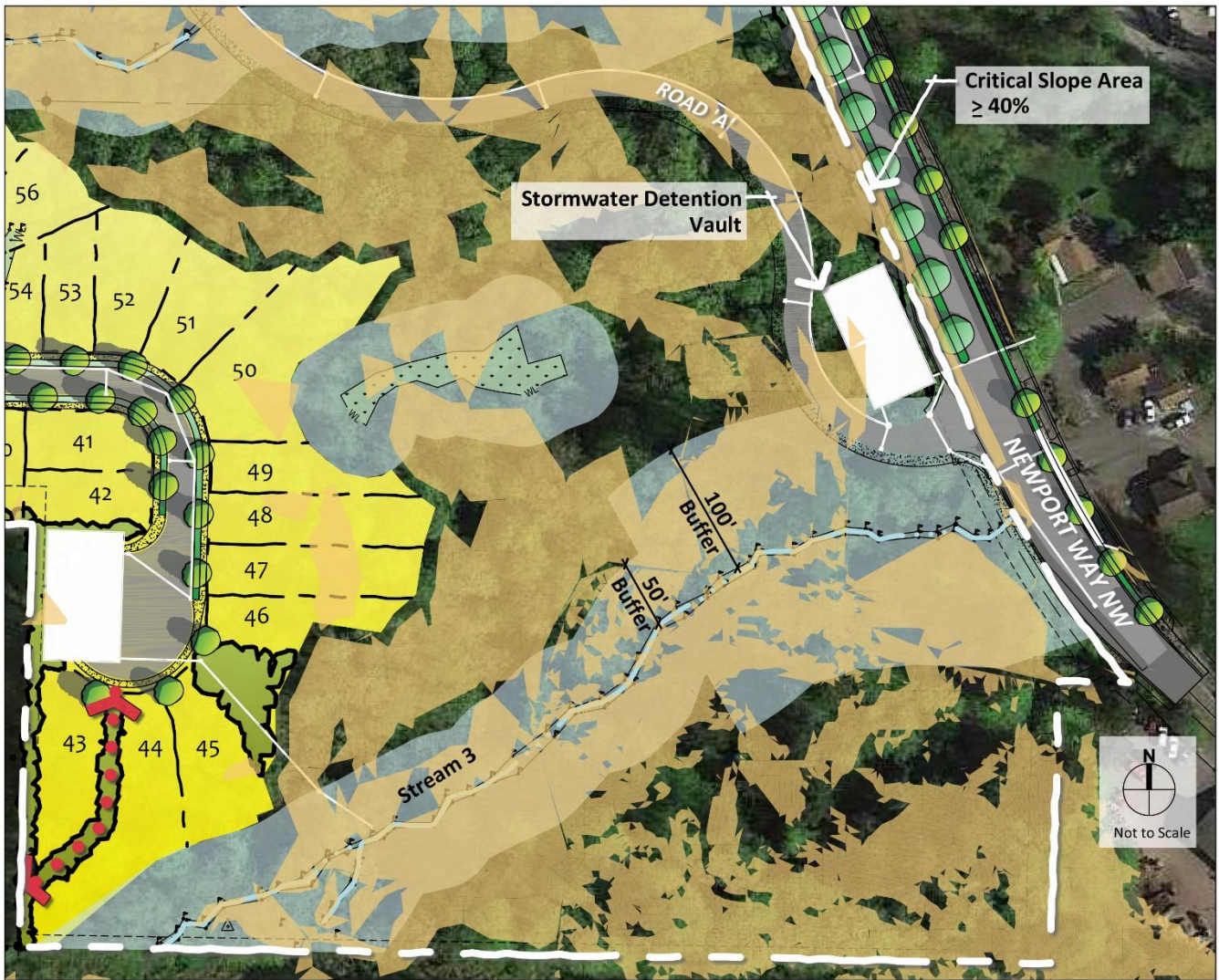
***The vault is the detention facility that is designed to receive runoff from a large area of the site.***

***Whereas the unique context of this residential property encourages high-end density and development, accessing the developable portion of the site requires development of an access roadway across the steeper slopes. The access roadway will traverse the slope, complying with applicable and modified standards (see roadway deviations). The roadway is designed for two travel lanes and a pedestrian sidewalk. The centerline grade will not exceed 15%. The roads will be designed by experienced professionals (Biologist, Geotechnical engineer, Structural Engineer, and Civil Engineers) collaborating to manage the environmental impact of development and the range of mitigation options to ensure a safe travel way for the public. The stormwater vault impacts about 800 SF of the 959,400 total SF onsite.***

***Please refer to the diagram that follows.***

The applicant is seeking approval to modify the requirement of the applicable **City Code, IMC 18.10.580(B)3B, 1-6.** in accordance the following criteria:

1. The variance will achieve the intended result in equivalent:
  - ***The intent of the code is to manage and protect harmful impacts to the environment. The development of the entry road (street A) will include a great deal of professional design attention to ensure impacts are mitigated.***
2. The variance addresses public safety and operation; the code seeks to protect the public by providing safe travel ways in concert with environmental management.
3. The variance will not adversely affect how well the surrounding nearby public facilities can be maintained:
  - ***Public facilities will not be harmed by this variance.***



**STORMWATER VAULT IN CRITICAL SLOPES**

**Windward Development / City of Issaquah**  
**DEVIATION REQUEST #1: Road A (up the hill) – Modified Street Section**

---

**PURPOSE**

The City Engineer or designee may approve deviations to the Standards herein after consultation with affected City departments. The decision to grant, deny or modify the proposed deviation shall be documented and be based upon evidence that the request can meet the following criteria:

1. The deviation will achieve the intended result in equivalent or superior design; and
2. The deviation addresses public safety and operation; and
3. The deviation will not adversely affect how well the surrounding nearby public facilities can be maintained.

**DESCRIPTION OF DEVIATION:**

*The applicant is seeking to modify the identified street standard to;*

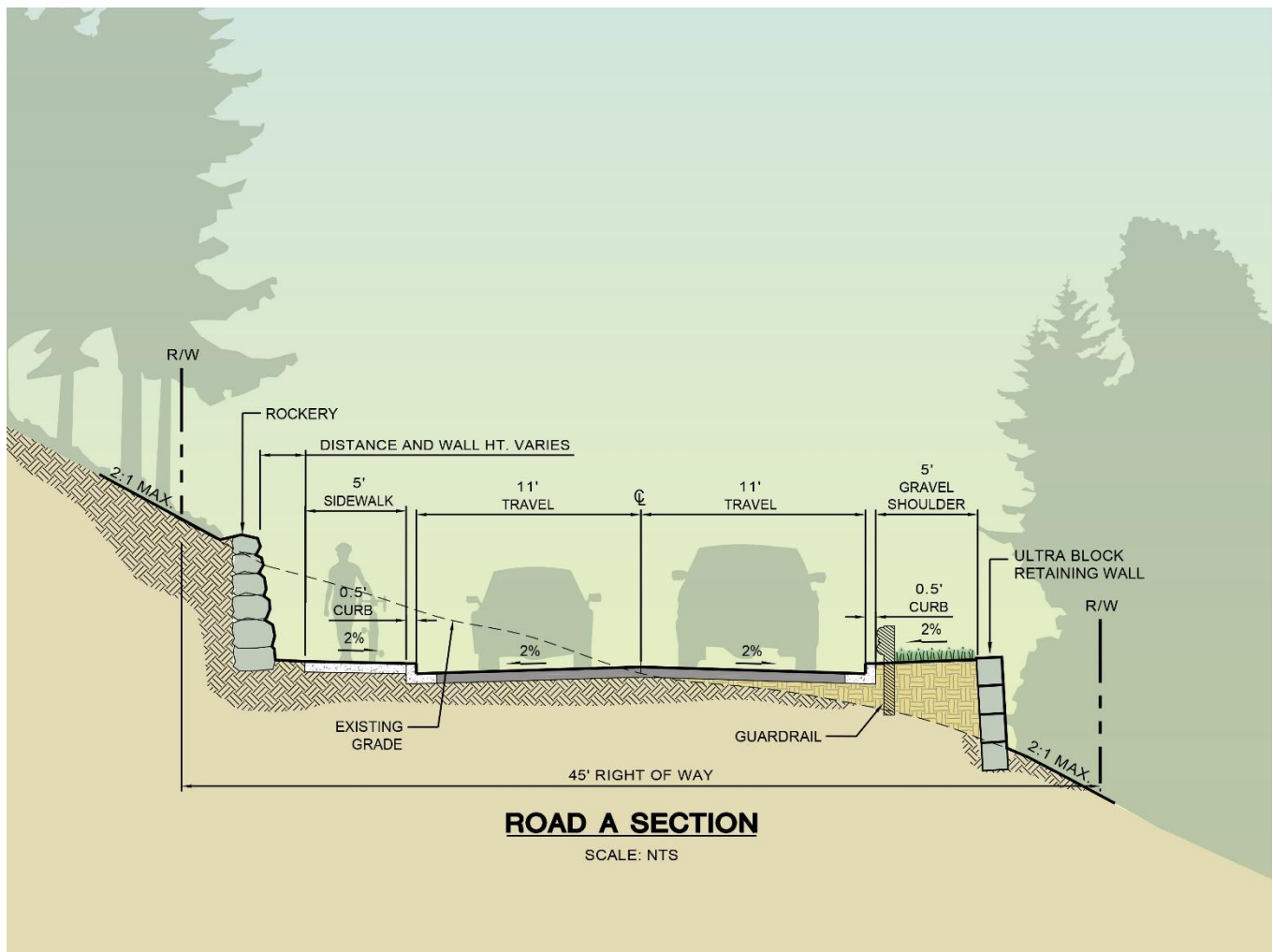
- ***Centerline Street Grade: up to 14.99%***
- ***Right-of-Way: Reduced to 45' (min)***
- ***Travel Lanes: 2 at 11' each with vertical curb***
- ***Rockery Wall on the uphill cut slope, separated from vertical curb by a 5' sidewalk and a 4'+/- gravel shoulder with a total separation of 9'+/-.***
- ***Ultra-block Wall on the downhill fill slope, separated from vertical curb by 5.5' gravel shoulder and guardrail placed at the face of curb for a safety zone.***
- ***Deletion of Planter Strip, given the forested natural context***
- ***Design Speed of: 25 mph***
- ***Posted Speed: 25 mph***
- ***Design Centerline Radius: 95' min.***
- ***Stopping Sight-line distance of: 200' min.***

***Please refer to the diagram that follows.***

The applicant is seeking approval to modify the requirement of the applicable **City of Issaquah, Public Works Department, Typical Public Local Access Street (<1,500 VPD Residential Areas, Standard Detail No. T-11 (11-10-11)** in accordance the following criteria:

1. The combined deviation will achieve the intended result in equivalent or superior design:
  - ***The modified road seeks to apply several roadway deviations to the design of the travel way. The combined deviation will provide two travel lanes (11' each) as well as a safe pedestrian sidewalk for the public. The deviation will provide for access to the site through the highly regulated and environmental constraints of the property. The modified centerline radius will reduce impacts and construction costs, and the modification of side slopes/cut slopes with retaining walls to the road corridor will provide safe stopping sight distance sightlines for the roadway. Streetlights will be provided with 300-foot spacing between poles. Additionally, the collaboration of transportation standards and a reduced environmental impact will collectively advocate for a reduction of the area required for grading, clearing, and tree removal.***

2. The deviation addresses public safety and operation.
  - ***The deviation is designed to ensure the ongoing high priority of public safety and operation of the public right-of-way. The roadway will provide standardized sight distance view lines through the curves to facilitate the enhanced view for drivers to see far ahead.***
3. The deviation will not adversely affect how well the surrounding nearby public facilities can be maintained:
  - ***The deviation, as proposed and potentially approved by the City Engineer, will not adversely affect surrounding public facilities.***



**Windward Development / City of Issaquah**  
**DEVIATION REQUEST #2: Road B (Local Street) Modified Street Section**

---

**PURPOSE**

The City Engineer or designee may approve deviations to the Standards herein after consultation with affected City departments. The decision to grant, deny or modify the proposed deviation shall be documented and be based upon evidence that the request can meet the following criteria:

1. The deviation will achieve the intended result in equivalent or superior design; and
2. The deviation addresses public safety and operation; and
3. The deviation will not adversely affect how well the surrounding nearby public facilities can be maintained.

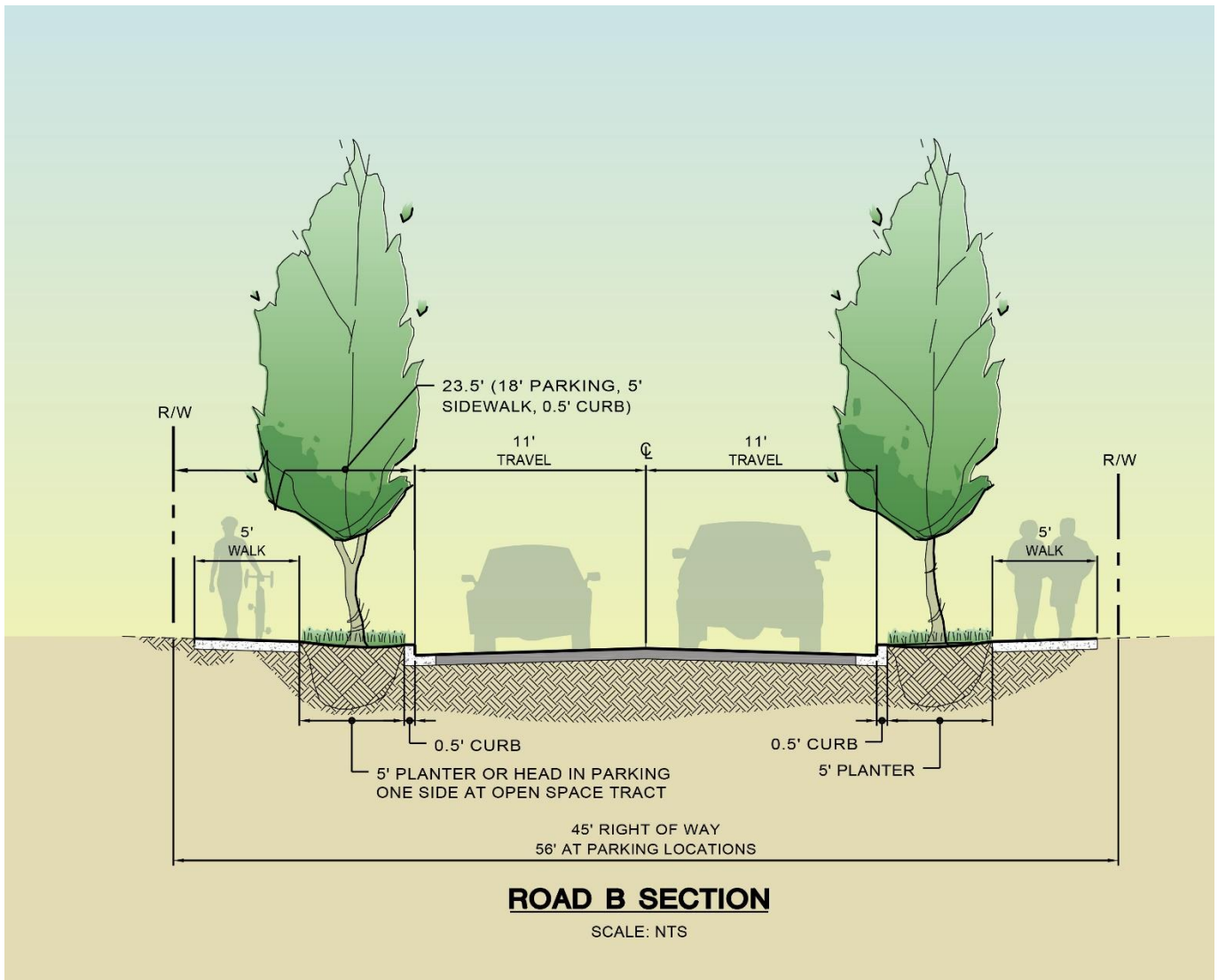
**DESCRIPTION OF DEVIATION:** *The applicant is seeking to modify the identified street standard to;*

- ***Right-of-Way: Reduced to 45'/56' (min)***
- ***Travel Lanes: Two at 11' each with vertical curb***
- ***Planter strip at back of curb both sides***
- ***Pedestrian Sidewalk: Both sides of street***
- ***Parallel Parking at Open Space pockets as opportunities present, see plan***

***Please refer to the diagram that follows.***

The applicant is seeking approval to modify the requirement of the applicable **City of Issaquah, Public Works Department, Typical Public Local Access Street (<1,500 VPD Residential Areas, Standard Detail No. T-11 (11-10-11))** in accordance the following criteria:

1. The deviation will achieve the intended result in equivalent or superior design;
  - ***The deviation will provide for the opportunity to provide standard residential driveways guest parking, as parallel spaces as opportunities are available.***
2. The deviation addresses public safety and operation:
  - ***The deviation is designed to supplement parking options in addition to those located in the residential driveways.***
3. The deviation will not adversely affect how well the surrounding nearby public facilities can be maintained:
  - ***The deviation as proposed will not adversely affect surrounding public facilities.***



## Windward Development / City of Issaquah

### DEVIATION REQUEST #3: Road C (local street) Modified Street Section

---

#### **PURPOSE**

The City Engineer or designee may approve deviations to the Standards herein after consultation with affected City departments. The decision to grant, deny or modify the proposed deviation shall be documented and be based upon evidence that the request can meet the following criteria:

1. The deviation will achieve the intended result in equivalent or superior design; and
2. The deviation addresses public safety and operation; and
3. The deviation will not adversely affect how well the surrounding nearby public facilities can be maintained.

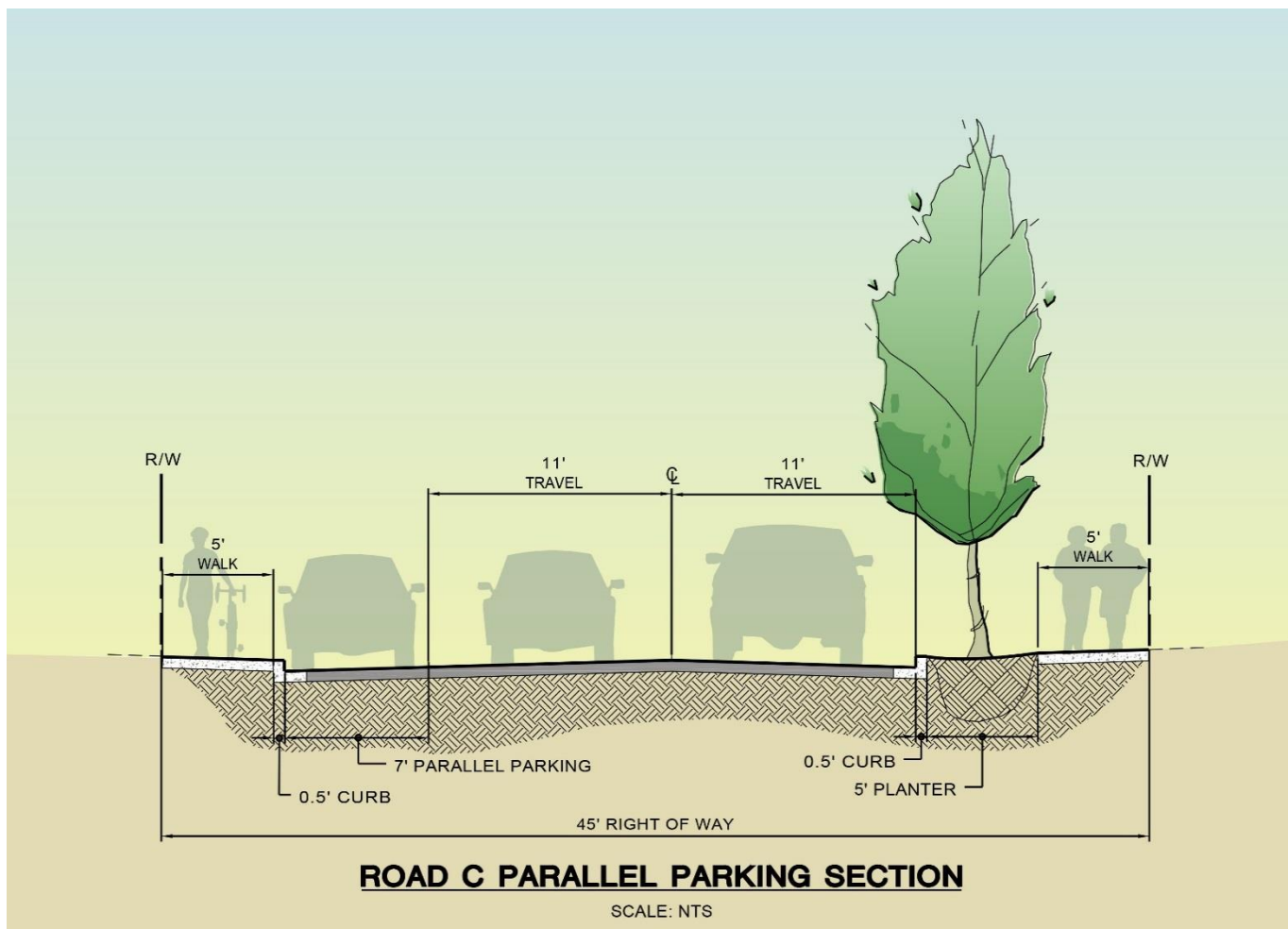
**DESCRIPTION OF DEVIATION:** *The applicant is seeking to modify the identified street standard section to;*

- ***Centerline Street Grade: up to 8%***
- ***Right-of-Way: 45' (min)***
- ***Travel Lanes: Two at 11' each with vertical curb***
- ***Planter strip at back of curb, both sides***
- ***Pedestrian Sidewalk: one side only, south and west sides of street***
- ***Parallel Parking as opportunities on the north and east sides of the street***

*Please refer to the diagram that follows.*

The applicant is seeking approval to modify the requirement of the applicable **City of Issaquah, Public Works Department, Typical Public Local Access Street (<1,500 VPD Residential Areas, Standard Detail No. T-11 (11-10-11))** in accordance the following criteria:

1. The deviation will achieve the intended result in equivalent or superior design
  - ***The deviation will provide a conventional residential street for the subdivision. The need for the deviation occurs as a result of the steep grades of the site. The street grade will be limited to 8% to allow for standard conventional driveways, suitable for off-street guest parking on each residential lot.***
  - ***Additional guest parking, as parallel spaces, are provided, please refer to the Preliminary Plat Site Plan for locations. The constructed street section will maintain the typical residential look of sidewalk on both sides of the street, separated from the travel land by a vertical curb and tree planted parkway.***
2. The deviation addresses public safety and operation.
  - ***The deviation is designed to provide safe public rights-of-way, containing travel lanes for cars and pedestrian sidewalks separated from the travel lanes. Guest parking is provided at selected locations to supplement parking options for visitors.***
3. The deviation will not adversely affect how well the surrounding nearby public facilities can be maintained:
  - ***The deviation as proposed will not adversely affect surrounding public facilities.***



**Windward Development / City of Issaquah**  
**DEVIATION REQUEST #4: Road C (local street) Length of Cul-de-sac**

---

**PURPOSE**

The City Engineer or designee may approve deviations to the Standards herein after consultation with affected City departments. The decision to grant, deny or modify the proposed deviation shall be documented and be based upon evidence that the request can meet the following criteria:

1. The deviation will achieve the intended result in equivalent or superior design; and
2. The deviation addresses public safety and operation; and
3. The deviation will not adversely affect how well the surrounding nearby public facilities can be maintained.

**DESCRIPTION OF DEVIATION:**

***The applicant is seeking to modify the identified street standard to;***

- ***Obtain permission to construct a dead end street long serving 30 homes. The site offers very limited options for vehicular development access. The cul-de-sac is about 800 feet long. The hammerhead turnaround is located at the mid-point of the street, about 400 feet from the intersection.***

***The applicant is seeking to modify the identified street standard section to;***

- ***Centerline Street Grade: up to 8%***
- ***Right-of-Way: 45' (min)***
- ***Travel Lanes: 2 at 11' each with vertical curb***
- ***Planter strip at back of curb, both sides***
- ***Pedestrian Sidewalk: one side only, south and west sides of street***
- ***Parallel Parking as opportunities on the south and west sides of the street***

***Please refer to the diagram.***

The applicant is seeking approval to modify the requirement of the applicable **City of Issaquah, Public Works Department, Design Standard Detail No. M.1.e**, in accordance the following criteria:

1. The deviation will achieve the intended result in equivalent or superior design;
  - ***the deviation is key to supporting the optimal density of the property.***
2. The deviation addresses public safety and operation;
  - ***the deviation does not create a higher risk of public safety.***
3. The deviation will not adversely affect how well the surrounding nearby public facilities can be maintained:
  - ***the deviation as proposed will not adversely affect surrounding public facilities.***



### **PROPOSED CUL-DE-SAC**

**Windward Development / City of Issaquah**  
**DEVIATION REQUEST #5: Road D (Park Access Road) Modified Street Section**

---

**PURPOSE**

The City Engineer or designee may approve deviations to the Standards herein after consultation with affected City departments. The decision to grant, deny or modify the proposed deviation shall be documented and be based upon evidence that the request can meet the following criteria:

1. The deviation will achieve the intended result in equivalent or superior design; and
2. The deviation addresses public safety and operation; and
3. The deviation will not adversely affect how well the surrounding nearby public facilities can be maintained.

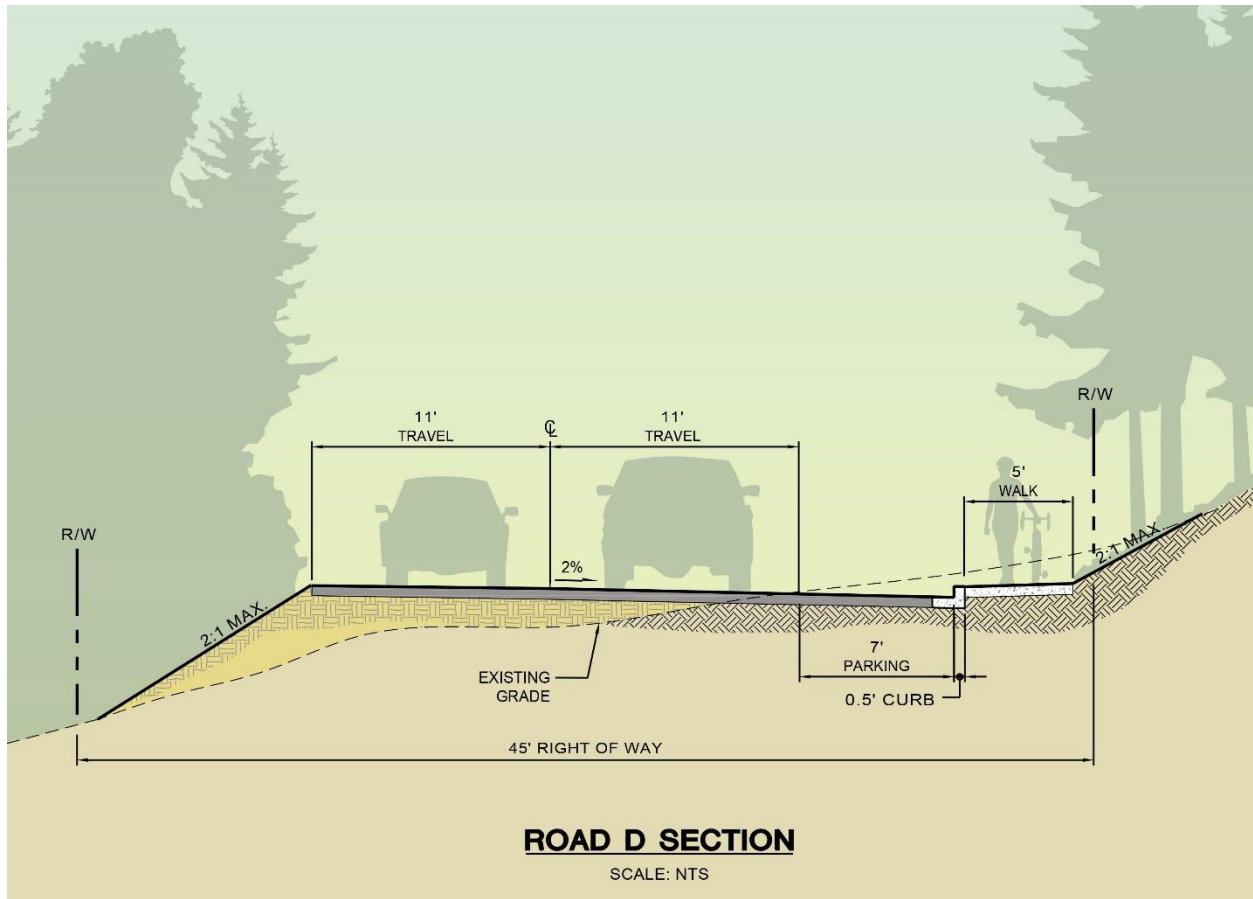
**DESCRIPTION OF DEVIATION:** *The applicant is seeking to modify the identified street standard to;*

- ***Right-of-Way: 45' (min)***
- ***Travel Lanes: Two at 11' each with vertical curb***
- ***No Planter Strip at back of curb,***
- ***Pedestrian Sidewalk: one side only, west side of street***
- ***Parallel Parking as opportunities present on the west side of the street***

*Please refer to the diagram that follows.*

The applicant is seeking approval to modify the requirement of the applicable **City of Issaquah, Public Works Department, Typical Public Local Access Street (<1,500 VPD Residential Areas, Standard Detail No. T-11 (11-10-11))** in accordance the following criteria:

1. The deviation will achieve the intended result in equivalent or superior design.
  - ***The deviation will provide for the opportunity to provide guest parking, as parallel spaces as opportunities are available and deletion of the planter strip given the forested context of the road location.***
2. The deviation addresses public safety and operation.
  - ***The deviation is designed to supplement parking options.***
3. The deviation will not adversely affect how well the surrounding nearby public facilities can be maintained:
  - ***The deviation as proposed will not adversely affect surrounding public facilities.***



## **PLANNING**

### **SUBMITTAL REQUIREMENTS AND SUMMARY**

A request for a variance shall be filed with the Permit Center and shall be reviewed in a public hearing through a Level 4 Review Process before the Hearing Examiner (see Level 4 Review flowchart).

### ***PURPOSE***

The variance provision is provided to property owners who, due to the strict implementation of standards set forth in the Issaquah Land Use Code, Chapter 4, and/or to unusual circumstances regarding the subject property, are deprived of privileges commonly enjoyed by other properties in the same vicinity and zone and under the same land use regulations, provided, however, that the fact that surrounding properties have been developed under regulations in force prior to the adoption of this ordinance shall not be the sole basis for the granting of a variance

## ***SUBMITTAL REQUIREMENTS***

<b>Sufficient</b>	<b>Insufficient</b>	<b>N/A</b>
1. <b>One copy</b> of a completed Permit Application		
2. <b>One copy</b> of a completed and notarized Affidavit of Ownership/Agent Authority. (Notary available by City.)		
3. Variance application processing fee in the amount according to the adopted Fee Schedule. Make check payable to <i>City of Issaquah</i> .		
4. <b>Eight copies</b> of a written detailed narrative describing the variance request and the reasons. The narrative is to describe how the requested variance meets the "Approval Criteria," as established in the Issaquah Municipal Code, Chapter 18.04.490(B)(2). See approval criteria below.		
5. <b>Eight copies</b> of a small-scale vicinity map. 1" = 20' is recommended.		
6. <b>Eight copies</b> of a site plan of the subject property.		
7. <b>One reduction of each drawing</b> to a paper size of 8 ½" x 11".		